

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	13 Cr. 582 (LAP)
	:	20 Cv. 9680 (LAP)
-against-	:	
	:	
ANDRE CALIX,	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
-----x	:	

LORETTA A. PRESKA, Senior United States District Judge:

On November 8, 2023, the Court appointed CJA counsel David Anders to represent Mr. Calix post-conviction in his then-pending petition pursuant to 28 U.S.C. § 2255. (Dkt. no. 16.)<sup>1</sup> In June of 2024, Mr. Anders withdrew from the representation after Mr. Calix filed a complaint against him and his law firm with the Committee on Admission and Grievances for the U.S. Court of Appeals for the Second Circuit. (See dkt. nos. 21-22.) Thereafter, the Court appointed CJA attorney David Stern to represent Mr. Calix. (Dkt. no. 22.) As set forth in Mr. Stern's July 31, 2024 letter, after two lengthy telephone conversations with Mr. Calix, Mr. Stern became convinced that he cannot effectively represent Mr. Calix and asked the Court to appoint new counsel. (Dkt. no. 24.)

By letter dated July 20, 2024, Mr. Calix asked the Court to "weigh in with some supervision." (Dkt. no. 23.) The Court is

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<sup>1</sup> References to the docket are to Civil Case No. 20-cv-9680 (LAP).

unable to "supervise" attorneys, however. Accordingly, Mr. Calix shall inform the Court no later than August 26, 2024 if he wishes one final CJA lawyer appointed. Mr. Calix is cautioned, however, that if he requests counsel, this will be the last one appointed to represent him. Litigants may not abuse the privilege of having CJA counsel appointed to conduct post-conviction proceedings.

The Clerk of the Court shall close the open letter-motion at dkt. no. 24 and mail a copy of this order to Mr. Calix.

**SO ORDERED.**

Dated: New York, New York  
August 5, 2024



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LORETTA A. PRESKA  
Senior United States District Judge